AMENDMENTS TO THE CLAIMS:

Please amend the claims as follows. This listing of claims will replace all prior listings.

1.- 5. (CANCELLED)

6. (CURRENTLY AMENDED) A method for performing congestion control in a node in a connection-oriented packet-switching network, the method comprising:

receiving notification of traffic congestion at a node located in a first path connecting a source node and a destination node, wherein the first path is a non-real time connection with a Minimum Cell Rate (MCR) of R_{ACR} and a Peak Cell Rate (PCR) of R_{PCR};

the source node ascertaining whether M alternative paths exist with available resources able to satisfy the R_{ACR} for transferring traffic between the source node and the destination node, wherein M is equal to or greater than 1; and

the source node selecting one of the M alternative paths to reroute the traffic between the source node and the destination node if the M alternative paths exist.

7. (ORIGINAL) The method as recited in Claim 6, wherein selecting one of the M alternative paths to reroute the traffic, comprises selecting one of the M alternative paths which best satisfies the R_{ACR} in accordance with one or more rules, if there are more than one of the M alternative paths.

8. (ORIGINAL) The method as recited in Claim 6, wherein selecting one of the M alternative paths to reroute the traffic, comprises selecting one of the M alternative paths with a maximum amount unreserved resources to satisfy the R_{ACR}, if there is more than one of the M alternative paths.

9. (ORIGINAL) The method as recited in Claim 6, wherein selecting one of the M alternative paths to reroute the traffic, comprises selecting one of the M alternative paths with a least amount unreserved resources but enough unreserved resources to support the R_{ACR}, if there is more than one of the M alternative paths.

10. (ORIGINAL) The method as recited in Claim 6, wherein selecting one of the M alternative paths to reroute the traffic, comprises selecting a first one of the M alternative paths found to satisfy the R_{ACR}, if there is more than one of the M alternative paths.

11. (ORIGINAL) The method as recited in Claim 6, wherein selecting one of the M alternative paths to reroute the traffic, comprises selecting one of the M alternative paths that satisfies the R_{ACR} according to one or more custom criteria, if there is more than one of the M alternative paths.

12. (ORIGINAL) The method as recited in Claim 6, wherein selecting one of the M alternative paths to reroute the traffic, comprises selecting one of the M alternative paths that satisfies the R_{ACR} according to one or more fuzzy rules, if there is more than one of the M alternative paths.

13. (CANCELLED)

14. (CANCELLED)

PAGE 5/9 * RCVD AT 11/26/2008 10:16:00 AM [Eastern Standard Time] * SVR:USPTO-EFXRF-5/38 * DNIS:2732092 * CSID:12489888363 * DURATION (mm-ss):02-10

15. (PREVIOUSLY PRESENTED) One or more computer-readable media having stored thereon computer executable instructions that, when executed by one or more processors, causes a computer to:

receive notification of traffic congestion at a node located in a first path connecting a source node and a destination node, wherein the first path is a non-real time connection with a Minimum Cell Rate (R_{MCR}) and Peak Cell Rate (PCR) of R_{PCR};

ascertain whether M alternative paths exist with available resources able to satisfy the R_{PCR} for transferring traffic between the source node and the destination node, wherein M is equal to or greater than 1; and

select one of the M alternative paths to reroute the traffic between the source node and the destination node if the M alternative paths exist.

16. (CURRENTLY AMENDED) A method for performing congestion control in a node in a connection-oriented packet-switching network, the method comprising:

receiving notification of traffic congestion at a node located in a first path connecting a source node and a destination node, wherein the first path is a non-real time connection with a Minimum Cell Rate (R_{MCR}) and Peak Cell Rate (PCR) of R_{PCR};

the source node ascertaining whether M alternative paths exist with available resources able to satisfy the R_{ACR} for transferring traffic between the source node and the destination node, wherein M is equal to or greater than 1;

the node selecting one of the M alternative paths to reroute the traffic between the source node and the destination node if the M alternative paths exist;

the source node ascertaining whether X alternative paths exist with available resources

PAGE 6/9 * RCVD AT 11/26/2008 10:16:00 AM [Eastern Standard Time] * SVR:USPTO-EFXRF-5/38 * DNIS:2732092 * CSID:12489888363 * DURATION (mm-ss):02-10

able to satisfy a reduced Available Cell Rate (ACR) of R'_{ACR}~~R_{ACR}~~, if M alternative paths do not exist, wherein R'_{ACR}~~R_{ACR}~~ is less than the R_{ACR}, but is greater than a new ACR for the first path if rate control is instituted to eliminate the traffic congestion; and

the source node selecting one of the X alternative paths to reroute the traffic between the source node and the destination node if the X alternative paths exist.

17. (CURRENTLY AMENDED) A system, comprising:

means for receiving notification of traffic congestion at a node located in a first path connecting a source node and a destination node, wherein the first path is a non-real time connection with a Minimum Cell Rate (R_{MCR}) and Peak Cell Rate (PCR) of R_{PCR};

means at the source node for ascertaining whether M alternative paths exist with available resources able to satisfy the R_{ACR} for transferring traffic between the source node and the destination node, wherein M is equal to or greater than 1; and

means at the source node for selecting one of the M alternative paths to reroute the traffic between the source node and the destination node if the M alternative paths exist.

18. (CURRENTLY AMENDED) The system as recited in Claim 17 further comprising means for ascertaining whether X alternative paths exist with available resources able to satisfy a reduced Available Cell Rate (ACR) of R'_{ACR}~~R_{ACR}~~, if M alternative paths do not exist, wherein R'_{ACR}~~R_{ACR}~~ is less than the R_{ACR}, but is greater than a new ACR for the first path if rate control is instituted to eliminate the traffic congestion; and

means for selecting one of the X alternative paths to reroute the traffic between the source node and the destination node if the X alternative paths exist.

PAGE 7/9 * RCVD AT 11/26/2008 10:16:00 AM [Eastern Standard Time] * SVR:USPTO-EFXRF-5/38 * DNIS:2732092 * CSID:12489888363 * DURATION (mm-ss):02-10